

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Paso Robles Public Schools)	File No. SLD-157477
Paso Robles, California)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: January 14, 2003

Released: January 15, 2003

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has under consideration a Request for Review filed by Paso Robles Public Schools (Paso Robles), Paso Robles, California.¹ Paso Robles seeks review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator), rejecting Paso Robles's appeal on the grounds that it was untimely filed.² For the reasons set forth below, we affirm SLD's rejection and deny Paso Robles's Request for Review.

2. SLD issued a FCC Form 471 Certification Rejection Letter on July 26, 2001, notifying Paso Robles that, because its FCC Form 471 Certification was received by SLD after the required date of July 15, 2000, 11:59 p.m., SLD could not process any portion of it and the entire application would therefore not be eligible for funding.³ On September 20, 2001, Paso Robles filed an appeal of SLD's decision.⁴ On October 1, 2001, SLD issued an Administrator's Decision on Appeal, indicating that it would not consider Paso Robles's appeal because it was

¹ Letter from Laurie Crowe, Paso Robles Public Schools, to Federal Communications Commission, filed February 20, 2002 (Request for Review).

² See Request for Review. Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

³ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Peggy Edwards, Paso Robles Public Schools, dated July 26, 2001 (FCC Form 471 Certification Rejection Letter).

⁴ Letter from Laurie Crowe, Paso Robles Public Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed September 20, 2001 (Request for Administrator Review).

received more than 30 days after the July 26, 2001 FCC Form 471 Certification Rejection Letter was issued.⁵ Paso Robles subsequently filed the instant Request for Review with the Commission.

3. For requests seeking review of decisions issued before August 13, 2001 under section 54.720(b) of the Commission's rules, an appeal must be filed with the Commission or SLD within 30 days of the issuance of the decision that the party seeks to have reviewed.⁶ Documents are considered to be filed with the Commission or SLD only upon receipt.⁷ The 30-day deadline contained in section 54.720(b) of the Commission's rules applies to all such requests for review filed by a party affected by a decision issued by the Administrator.⁸ Because Paso Robles failed to file an appeal of the July 26, 2001 FCC Form 471 Certification Rejection Letter within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Paso Robles's appeal to SLD as untimely and deny the instant Request for Review.

4. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed by Paso Robles Public Schools, Paso Robles, California, on February 20, 2002 is DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

⁵ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Laurie Crowe, Paso Robles Public Schools, dated October 1, 2001 (Administrator's Decision on Appeal).

⁶ 47 C.F.R. § 54.720(b).

⁷ 47 C.F.R. § 1.7.

⁸ Due to recent disruptions in the reliability of the mail service, the 30-day appeal period has been extended by an additional 30 days for requests seeking review of decisions issued on or after August 13, 2001. *See Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, FCC 01-376 (rel. December 26, 2001), as corrected by *Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Errata (Com. Car. Bur. rel. December 28, 2001 and January 4, 2002); SLD website, What's New (January 20, 2002), <<http://www.sl.universalservice.org/whatsnew/012002.asp#extended>>. Because the July 26, 2001 FCC Form 471 Certification Rejection Letter was issued before August 13, 2001, the extended appeal period does not apply to Paso Robles.